

*For Office Use Only*  
**Executive Office of Environmental Affairs**

MEPA Analyst: *Deidree Buckley*

Phone: 617-626-*1044*

# NPC

## Notice of Project Change

The information requested on this form must be completed to begin MEPA Review of a NPC in accordance with the provisions of the Massachusetts Environmental Policy Act and its implementing regulations (see 301 CMR 11.10(1)).

Project Name: <b>Colony Place (formerly Plymouth Gateway)</b>		EOEA #: <b>12868</b>	
Street: <b>Commerce Way</b>			
Municipality: <b>Plymouth</b>		Watershed: <b>Taunton</b>	
Universal Tranverse Mercator Coordinates: <b>Zone 19 357528E 4645701N</b>		Latitude: <b>41° 57' 09" N</b> Longitude: <b>70° 43' 08" W</b>	
Status of project construction: <b>67 %complete</b>			
Proponent: <b>Saxon Real Estate Partners</b>			
Street: <b>200 Oak Point Drive</b>			
Municipality: <b>Middleboro</b>		State: <b>MA</b>	Zip Code: <b>02346</b>
Name of Contact Person From Whom Copies of this NPC May Be Obtained: <b>Corinne Snowdon</b>			
Firm/Agency: <b>Epsilon Associates, Inc.</b>		Street: <b>Three Clock Tower Place, Suite 250</b>	
Municipality: <b>Maynard</b>		State: <b>MA</b>	Zip Code: <b>01754</b>
Phone: <b>(978) 897-7100</b>	Fax: <b>(978)897-0099</b>	E-mail: <b>csnowdon@epsilonassociates.com</b>	

In 25 words or less, what is the project change? The project change involves . . .  
**A 250,000 s.f. expansion of Colony Place onto 27 adjoining acres of land.**

See full project change description beginning on page 3.

Date of ENF filing or publication in the Environmental Monitor: **ENF filed August 14, 2002.**

Was an EIR required?  Yes  No; if yes,  
 was a Draft EIR filed?  Yes (Date: **February 2003**)  No  
 was a Final EIR filed?  Yes (Date: **June 2003**)  No  
 was a Single EIR filed?  Yes (Date: )  No

Have other NPCs been filed?  Yes (Date(s): )  No

If this is a NPC solely for lapse of time (see 301 CMR 11.10(2)) proceed directly to  
**"ATTACHMENTS & SIGNATURES"** on page 4.

**PERMITS / FINANCIAL ASSISTANCE / LAND TRANSFER**

List or describe all new or modified state permits, financial assistance, or land transfers not previously reviewed:

**MHD Indirect Access Permit**

**DEP Sewer Extension & Connection Permit** (may not be required, per 1/07 regulatory revisions)

Are you requesting a finding that this project change is insignificant? (see 301 CMR 11.10(6))

Yes  No; if yes, attach justification.

Are you requesting that a Scope in a previously issued Certificate be rescinded?

Yes  No; if yes, attach the Certificate

Are you requesting a change to a Scope in a previously issued Certificate?  Yes  No; if

yes, attach Certificate and describe the change you are requesting:

Summary of Project Size & Environmental Impacts	Previously reviewed	Net Change	Currently Proposed
<b>LAND</b>			
Total site acreage	140	28	168
Acres of land altered	35 (new)	0	35 (new)
Acres of impervious area	93	17	110
Square feet of bordering vegetated wetlands alteration	0	0	0
Square feet of other wetland alteration	0	0	0
Acres of non-water dependent use of tidelands or waterways	0	0	0
<b>STRUCTURES</b>			
Gross square footage	865,000	250,000	1,115,000
Number of housing units	0	0	0
Maximum height (in feet)	35	0	35
<b>TRANSPORTATION</b>			
Vehicle trips per day	26,780	4,950	31,730
Parking spaces	4,228	1,125	5,353
<b>WATER/WASTEWATER</b>			
Gallons/day (GPD) of water use	76,000	16,935	92,935
GPD water withdrawal	21,000 (potential)	10,000	31,000
GPD wastewater generation/ treatment	80,435	12,500	92,935
Length of water/sewer mains (in miles)	1.25 water 1.25 sewer	0.60 0.50 (900 foot extension in Plaza Way)	1.85 1.75

Does the project change involve any new or modified:

1. conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97? Yes No

2. release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction? Yes No

3. impacts on Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities? Yes No

4. impact on any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

Yes No; if yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources? Yes No

5. impact upon an Area of Critical Environmental Concern? Yes No

If you answered 'Yes' to any of these 5 questions, explain below:

**PROJECT CHANGE DESCRIPTION** (attach additional pages as necessary). The project change description should include:

(a) a brief description of the project as most recently reviewed

(b) a description of material changes to the project as previously reviewed,

(c) the significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and

(d) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a proposed modification of the Section 61 Finding (or it will be required in a Supplemental EIR).

### **Project as Most Recently Reviewed**

The Colony Place project, formerly known as Plymouth Gateway, is the construction of a mixed commercial center on an approximately 140 acre site on the northern side of Commerce Way in Plymouth, Massachusetts (see Figure 1, USGS Locus Map, included in Attachment 3. Please note that the latest available USGS quadrangle sheet (1977) does not show the new Route 44 and Commerce Way; see Figure 2 for a 2005 aerial photograph of the area). As proposed in the 2003 FEIR, the center incorporated approximately 838,700 square feet (sf) of retail space. The general layout included a Wal\*Mart Supercenter (219,700 sf), another large retailer (now a Sam's Club - 135,700 sf) and four other buildings housing twenty-four smaller retailers. Additional convenience facilities included a centrally located bank and a restaurant pavilion containing several detached buildings proximate to the main entrance, bringing total square footage to 864,700. The project proposed 4,228 parking spaces and divided access ways. As of the filing of this NPC, approximately 572,000 square feet of retail and restaurant space has been constructed within Colony Place. Figure 3 shows the Colony Place project as it was proposed in the FEIR.

### **Project Change**

As presently proposed, the Colony Place shopping center is being expanded to include 250,000 square feet of additional retail space with 1,125 parking spaces. The majority (approx. 80%) of the additional retail space is south and west of existing construction (please see Figure 4 in Attachment 3); the balance of the additional space will be taken up by individual tenants as the balance of Colony Place is built out. With the currently proposed expansion, Colony Place will include a total of

1,115,000 square feet of retail space and 5,439 parking spaces.

The site of the expansion is 27 acres and contains no existing buildings or paved surfaces. A stormwater management area and associated water quality area for the previously permitted portion of the project are located in the northeastern portion of the parcel. These features will be incorporated into the currently proposed layout. The site is bounded by Colony Place to the north, developed single family residential lots to the south, Lot 1 ("The Plaza") and Hampton Inn Plaza (Watuppa site) to the east and undeveloped land to the west. Access to and egress from the site will be provided by way of an extension of Plaza Way located on Commerce Way across from Industrial Park Road.

The expanded project will generate an additional 12,500 gallons per day of wastewater and will require an on-site ejector station. Under the DEP Sewer Extension/Connection permit, No. W052088, issued November 3, 2004, Special Condition No. 3, all future connections discharging more than 15,000 gallons per day or including a pump station were to be the subject of a separate permit application. In January, 2007 DEP revised its sewer permit regulations, 314 CMR 7.05, to provide that flows up to 50,000 gpd, and pump stations, are activities not requiring a permit, provided that "the owner of the pump station has satisfied all operational, maintenance, financial and other requirements in its permit application, and the owner has filed a certification with the Department." Attachment 4 to this document contains additional information regarding wastewater generation.

Roof runoff from the expansion area will predominantly be discharged directly to recharge area(s). Stormwater runoff from all other improved areas within the expansion area will be routed through a drainage conveyance system, discharged to a water quality area, and finally released to be recharged back to groundwater. Attachment 5 contains an expanded discussion of the stormwater management system proposed for the expansion area.

Additional traffic impacts associated with this proposed expansion to the Colony Place project are the subject of the Traffic Impact and Access Study included as Attachment 6. Improvements to Commerce Way at Plaza Way and Industrial Park Road are planned as part of the proposed expansion and will be completed prior to occupancy of any portion of the project. In recognition of the existing and future traffic demands on the study area roadway system, a number of transportation demand management (TDM) actions are also proposed and will be implemented by the proponent to reduce vehicle trips and better manage the traffic generated by the project.

### **Significance of Changes**

The Colony Place expansion does not cause any additional MEPA thresholds to be exceeded. The Project was previously the subject of an EIR because of land area and traffic generation. MEPA jurisdiction existed over traffic (indirect access permit) and wastewater (sewer extension and connection permit). For this NPC, the Proponent has updated the EIR traffic study and the wastewater analysis, and has also analyzed stormwater. The findings of the traffic analysis are that no new mitigation is required at any state highway locations as a result of the project change, but additional intersection improvements are necessary at the intersection of Commerce Way with Plaza Way and Industrial Park Road, which will be carried out under the supervision of the Town of Plymouth (this intersection is not under MHD jurisdiction, MHD's earlier Section 61 Finding notes that intersection malfunctioning could affect MHD roads). The finding of the wastewater analysis is that the wastewater generation will exceed the amount previously allocated by Plymouth to Colony Place, but there is available reserve capacity allocated for the Project area, and Town officials are supportive of utilizing

that capacity for the expanded Colony Place project. Finally, stormwater analysis demonstrates that the site design can comply with the MA Stormwater Management Guidelines (both existing and proposed).

*Expansion of the Project.* The project change represents a 19% increase in total site size, and no increase in newly-disturbed area.

*Generation of Further Impacts.* Average daily trips will increase by 18%, and parking will increase by 27% (the previous parking figure [denominator of the fraction] reflected a waiver by Plymouth of zoning requirements; no waiver is expected to be forthcoming for the expansion area, hence the percentage increase is higher).

The proposed project expansion will generate an additional 12,500 gallons per day of wastewater, which is an increase of less than 25-percent of the review threshold level specified in 301 CMR 11.03 (5)(b)4.a. 900 feet of new sewer will be constructed on Plaza Way.

*Change in Project Schedule.* The FEIR forecasted initial partial occupancy of the site for the fall of 2004. The first tenants of the site opened for business in 2005 and the initially proposed portion of the project is now two-thirds complete. Completion of the entire project, including the currently proposed expansion, is slated for 2009-2010.

*Change of Project Site.* The location of the permitted portion of the Colony Place project has not changed. This NPC reflects the expansion of the project onto a 27-acre parcel adjacent to the main site.

*New Permit Application or New Request for Financial Assistance or a Land Transfer.* The currently proposed expansion does not involve a new request for financial assistance or land transfer. It is anticipated that ejector station design will be certified to DEP per 314 CMR 7.05, and that MHD will revise/update its previously-issued Section 61 Finding to reflect the expanded parameters of the project.

*Change that Prevents or Materially Delays Realization of Project Benefits.* The permitted portion of the Colony Place project is proceeding as planned. The currently proposed expansion to the project will not delay the implementation of any of the originally proposed project elements.

*Changes in Ambient Environment or Information for Projects Involving a Lapse of Time.* This NPC does not involve a Lapse of Time.

## **Mitigation**

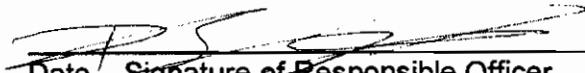
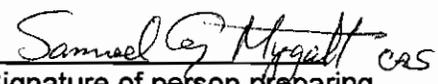
The Proponent remains committed to a comprehensive mitigation program for traffic and wastewater. Attachment 7 is a copy of the Section 61 Finding issued by MHD on September 30, 2003, with suggested revisions in **boldface**. Attachment 8 is the November 3, 2003 cover letter with Section 61 Finding issued by DEP with the Sewer Extension/Connection Permit. If a new or modified permit is required, it is anticipated that DEP would be able to reissue the cover letter as of the permit date.

**ATTACHMENTS & SIGNATURES**

**Attachments:**

1. Secretary's most recent Certificate on this project
2. Plan showing most recent previously-reviewed proposed build condition
3. Plan showing currently proposed build condition
4. Original U.S.G.S. map or good quality color copy (8-1/2 x 11 inches or larger) indicating the project location and boundaries
5. List of all agencies and persons to whom the proponent circulated the NPC, in accordance with 301 CMR 11.10(7)

**Signatures:**

		5/31/02	
<b>Date</b>	<b>Signature of Responsible Officer or Proponent</b>	<b>Date</b>	<b>Signature of person preparing NPC (if different from above)</b>
Don Smith		Samuel G. Mygatt	
<b>Name (print or type)</b>		<b>Name (print or type)</b>	
Saxon Real Estate Partners		Epsilon Associates, Inc.	
<b>Firm/Agency</b>		<b>Firm/Agency</b>	
200 Oak Point Drive		Three Clock Tower Place, Suite 250	
<b>Street</b>		<b>Street</b>	
Middleboro, MA 02346		Maynard, MA 01754	
<b>Municipality/State/Zip</b>		<b>Municipality/State/Zip</b>	
(508) 947-3535		(978) 897-7100	
<b>Phone</b>		<b>Phone</b>	



**Figure 1**  
**USGS Locus Map**  
**Colony Place**  
**Plymouth, Massachusetts**

1977 USGS Plymouth Topographic Quadrangle  
 Note: USGS map does not reflect relocation of Route 44

Scale 1:24,000  
 1 inch = 2,000 feet  
 0 1,000 2,000 Feet

